

CANNON & DUNPHY, S.C.

Attorneys at Law



William M. Cannon
Patrick O. Dunphy
Mark L. Thomsen
Sarah F. Kaas
Edward E. Robinson

595 North Barker Road
P. O. Box 1750
Brookfield, WI 53008-1750
Telephone: (262) 782-2700
Facsimile: (262) 796-5800
www.cannon-dunphy.com

Allan M. Foeckler
Charles D. Schmidt
Robert D. Crivello
Kevin R. Martin
Brett A. Eckstein

September 6, 2007

Mr. Kevin P. Reak
Gunta & Reak, S.C.
219 North Milwaukee Street
Milwaukee, WI 53202-5818

Re: Estate of Michael Edward Bell, et al. v.
Officer Erich R. Strausbaugh, et al.
Wisconsin - Eastern District Case No: 05-C-1176

Dear Kevin:

Enclosed for service please find Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Set of Requests For Production Of Documents Dated September 6, 2007.

We are serving you with this discovery because of your representation that your defense to the claim includes an analysis of the difficulty of officers telling the truth and accurately recounting facts in high-stress situations, such as the Bell shooting.

Because this is a defense you intend to raise, it is our position that the medical history, including mental health history, of your clients is now relevant and discoverable under Federal Rules of Civil Procedure 26(b) and 34, Federal Rule of Evidence 501, and Wis. Stat. § 905.04(4)(c), and any privileges these officers have regarding their medical history has been waived.

Very truly yours,

CANNON & DUNPHY, S.C.

Patrick O. Dunphy
Direct Dial: (262) 796-3701
Direct Fax: (262) 796-3711
pdunphy@cannon-dunphy.com

